

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CINDY L. OLSON,

Plaintiff,

v.

MICHAEL ASTRUE,
Commissioner of Social Security,

Defendant.

CASE NO. C10-5618-RAJ

REPORT AND RECOMMENDATION

Plaintiff Cindy L. Olson brought this action to seek judicial review of the denial of his application for Disability Insurance Benefits (DIB) and Supplemental Security Income (SSI) by the Commissioner of the Social Security Administration. The parties have now stipulated that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. 31.)

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. The parties have stipulated that, on remand, the Administrative Law Judge (ALJ) will: (1) assign this case to a different ALJ in accordance with HALLEX I-2-I-55(D)(11)(a); (2) provide plaintiff with the

01 opportunity for a new hearing, at which plaintiff may submit additional evidence and
02 arguments; (3) shall address all medical opinions in accordance with the regulations and Social
03 Security Rulings 96-2p and 96-5p, including but not limited to the opinions of Loren W.
04 McCollom, Ph.D., and John E. Kooiker, Ph.D.; (4) evaluate plaintiff's mental impairments,
05 credibility, and residual functional capacity; (5) re-assess plaintiff's ability to perform her past
06 relevant work and, if warranted, obtain vocational expert evidence and identify and resolve any
07 conflicts between the occupational evidence provided by the vocational expert and the
08 information in the Dictionary of Occupational Titles and the Selected Characteristics of
09 Occupations. Also, on remand, this case shall be consolidated with plaintiff's subsequent DIB
10 and SSI claims, filed in March 2009. The ALJ shall associate the claims files and issue a new
11 decision on the consolidated claims. Upon proper application, the Court will consider
12 plaintiff's application for attorney fees and expenses pursuant to 28 U.S.C. § 2412.

13 Given the above, the Court recommends that United States District Judge Richard A.
14 Jones immediately approve this Report and Recommendation and order the case REVERSED
15 and REMANDED for further administrative proceedings. A proposed order accompanies this
16 Report and Recommendation.

17 DATED this 23rd day of May, 2011.

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20 Mary Alice Theiler
21 United States Magistrate Judge
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